

Monday November 18, 2013

Senate Judiciary Committee
Room

1:00 p.m. to 3:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Jeffery V. Kessler
ex officio nonvoting member

Tim Miley
ex officio nonvoting member

Senate

House

Snyder, Chairman	Present	Poore, Chairman	Present
Laird	Present	Marcum, Vice Chairman	Present
Miller	Present	Eldridge	Present
Unger		Fleischauer	Present
Boley	Present	Frich	Present
Hall, M.	Present	Sobonya	Present

The Legislative Rule-Making Review Committee, met in the Senate Judiciary Committee Room at 1:00 p.m. on Monday, November 18, 2013. The meeting was called to order by Delegate Poore, and a silent roll call was taken, as reflected above.

Senator Snyder moved the approval of the minutes of the October 22, 2013 meeting. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Municipal Pensions Oversight Board, Policemen's and Firemen's Pensions Disability Calculations, 211CSR1**, and responded to questions from the Committee. Ms. Graham stated that the Board has agreed to technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources, AIDS-related Medical Testing and Confidentiality, 64CSR64**, and responded to questions from the Committee. Mr. Johnson stated that the Department has agreed to technical modifications.

Dr. Loretta Haddy, WV Bureau for Public Health, WV DHHR, responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources, Child Care Licensing Centers, 78CSR1**, and responded to questions from the Committee. Mr. Johnson stated that the Commission has agreed to technical modifications.

Beth Hall Chambers, Program Manager, Division of Early Childcare and Education, responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **State Fire Commission, Fire Code, 87CSR1**, and responded to questions from the Committee. Mr. Skinner stated that the Commission has agreed to technical modifications.

Senator Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **State Fire Commission, Certification of Home Inspectors, 87CSR5**, and responded to questions from the Committee. Mr. Skinner stated that the Commission has agreed to technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **State Fire Marshall, Certification of Electrical Inspectors, 103CSR1**. Mr. Skinner stated that the Marshall has agreed to technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **State Tax Department, Municipal Sales and Service and Use Tax Administration, 110CSR28**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

Matthew Irby, WV State Tax Department, responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **State Tax Department, Special Reclamation Tax Credit, 110CSR29**. Ms. Graham stated that the Department has agreed to technical modifications.

Senator Snyder moved the proposed rule be approved as

modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **State Tax Department, Withholding or Denial of Personal Income Tax Refunds from Taxpayers who Owe Municipal or Magistrate Court Costs, 110CSR40**, and responded to questions from the Committee. Ms. Graham stated that the Department has agreed to technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Chiropractic Examiners, Regulation of Chiropractic Practice, 4CSR1**, and responded to questions from the Committee. Mr. Hatfield stated that the Board has agreed to technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Chiropractic Examiners, Fees, 4CSR6**, and responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Examiners for Speech-Language Pathology and Audiology, Speech-Language Pathology and Audiology Assistants, 29CSR2**. Mr. Hatfield stated that the Board has agreed to the technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Examiners for Speech-Language Pathology and Audiology, Disciplinary and Complaint Procedures for Speech-Language Pathology and Audiology, 29CSR4**. Mr. Hatfield stated that the Board has agreed to the technical modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Examiners for Speech-Language Pathology and Audiology, Code of Ethics, 29CSR5**, and responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Real Estate Commission, Requirements in Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business, 174CSR1**, and responded to questions from the Committee. Mr. Hatfield stated that the Board has agreed to the technical modifications.

Kevin Hypes, Deputy Director, Real Estate Commission, responded to questions from the Committee.

Delegate Fleischauer moved the proposed rule be approved as modified. The motion was adopted.

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection, Requirements Governing Water Quality Standards, 47CSR2**, and responded to questions from the Committee.

There being no further business to come before the Committee, Senator Snyder moved to adjourn. The motion was adopted.